

City Hall
San Clemente, California
July 16, 1952

The regular meeting of the City Council of the City of San Clemente, was held in the Council Chambers, City Hall, 408 North El Camino Real, San Clemente, California on Wednesday, July 16, 1952 at 8:00 P.M., Mayor Henry T. Read in the Chair.

PRESENT: Councilmen - Rea, Blakelock, Carrick, Fortune and Hempel
ABSENT: Councilmen - None.

Minutes of the regular Council meeting held July 2, 1952 having previously been presented to the members of the Council were approved as presented, and ON MOTION OF COUNCILMAN BLAKELOCK SECONDED BY COUNCILMAN FORTUNE, the reading of these minutes was dispensed with.

On roll call the following was the stated vote, to wit:

AYES: Councilmen - Read, Blakelock, Carrick, Fortune and Hempel
NOES: Councilmen - None
ABSENT: Councilmen - None

The motion was declared carried.

BIDS

BIDS ON
HOSE AND
SPRINKLERS

This being the time and place, as legally advertised in the "San Clemente Sun", for the opening of sealed bids or proposals for the furnishing of sprinkler equipment and 750 feet of rubber hose, the City Clerk reported that he had received bids from the following:

Adamson Sprinkler Company
Buckner Manufacturing Company
Pioneer Rubber Mills
United States Rubber Company

The Mayor publicly opened and read the bids, which are quoted below, and referred them to a committee composed of Councilmen Carrick and Hempel and the golf "pro", Bill Mast, for their study and recommendation.

Adamson Sprinkler Company - 4 Sprinklers \$630.00 (less sales tax)
Buckner Manufacturing Company - 5 Sprinklers @ \$96.00 each, less
2% 30 day discount.
Pioneer Rubber Mills - \$47.05 per 150' length of Rubber Hose
United States Rubber Company - \$414.23 for 750' of Hose

WRITTEN COMMUNICATIONS

GEOLOGICAL
INFORMATION

LETTER FROM SENATOR RICHARD NIXON relative to a request of the City that geological and geophysical information be made available to the City of San Clemente by the Department of the Interior, was read. The Mayor directed that the letter be held pending the selection of a geologist; at which time all data would be submitted to the geologist for his information.

REQUEST FOR
EXTENSION OF
SOME 62' OF
STORM DRAIN
AT EXPENSE OF
CITY

LETTER FROM ROBERT H. BALLARD requesting the extension of some 62 feet of storm drain at City expense, was read. The Mayor recommended to the Council that the policy which was established some time ago for such cases, be re-stated, i.e., that the City will furnish the labor for the installation of such drains if the owner of the property affected will provide materials. The Mayor further stated that in this case the owner of the property, Mr. Mr. Ballard, had agreed to grant an easement to the City where the storm drain would be constructed, in exchange for the lifting of the easement nearby, now held by the City.

The City Attorney, Mr. McKinney, pointed out that the only way the City could give up its right to the easement now held, would be through abandonment proceedings which, he felt, would be too costly to be of interest to Mr. Ballard, and recommended that the City Engineer, Mr. Wm. A. Ayers, survey the proposed construction site to determine what area would be necessary for the installation of the drain, stating that it would be a simple matter to obtain an easement.

EXTENSION OF
62' OF STORM
DRAIN - con-
tinued

Councilman Hempel inquired of the City Attorney as to the liability of the City in installing a storm drain without first having obtained an easement to do so. The City Attorney advised Mr. Hempel that in instances where a property-owner had given his verbal consent to the City to install a storm drain, and had also paid for the materials, the City would have no liability.

UPON MOTION OF COUNCILMAN BLAKELOCK SECONDED BY COUNCILMAN CARRICK AND UNANIMOUSLY CARRIED, installation of 62 feet of storm drain on Lots 41 and 42 of Tract 961 was ordered, when the necessary easements are obtained, in accordance with the policy hereafter set forth by the City Council providing that the City will install storm drains purchased by Mr. Robert H. Ballard.

FLOOD DAMAGE
ASSISTANCE RE-
JECTED

LETTER FROM THE STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS, rejecting application of the City of San Clemente for assistance in repairing flood damage under the provisions of Chapter 13, Statutes of 1951 from funds made available by Item 428, etc., was read and ordered filed.

ADELE GIMBAL
Lot 1 Bl. 4
TRACT 795

LETTER FROM ADELE GIMBAL advising that she had a customer desirous of leasing, with an option to purchase, Lot 1, Block 4, Tract 795, owned by the City of San Clemente, was read. The Mayor referred the matter to a Committee consisting of Councilman Hempel and himself for investigation of the matter.

PETITION TO
OPERATE TAXICABS

PETITION FROM HENRY G. DECKING for a certificate of Public Convenience and Necessity to operate Taxicabs, supported by the signatures of various citizens, was read and referred to the Chief of Police, Daneri, for investigation, as prescribed under Ordinance #139.

APPLICATION FOR
LICENSE TO OPER-
ATE JUICE STAND

APPLICATION FROM J. H. SEVERSON for a license to operate a juice stand at 2016 South El Camino Real was read. The City Clerk pointed out that the application had been approved by the City Health Officer and the Building Inspector.

UPON MOTION OF COUNCILMAN BLAKELOCK, SECONDED BY COUNCILMAN AND UNANIMOUSLY CARRIED, a permit to operate a juice stand at 2016 South El Camino Real, was granted to Mr. Severson.

RECOMMENDING
FILLING OR
PATCHING CHUCK
HOLES

LETTER FROM THE SAN CLEMENTE BOARD OF REALTORS recommending that consideration be given to filling or patching the many chuck holes in the City Streets, was read. Councilman Blakelock reported that the patching crew had not been in operation due to the fact that the plants supplying materials had been closed by the engineers' strike. Mayor Read referred the matter to Councilman Blakelock for his information.

REQUEST FOR A
2-HOUR PARKING
ZONE ON DEL MAR

PETITION FROM CITIZENS AND SHOP-OWNERS OF SAN CLEMENTE requesting the City Council to change the one-hour parking limit on Del Mar Avenue between El Camino Real and Ola Vista to a two-hour parking zone, and recommending that occasional ten minute green parking zones be established.

The Mayor referred the matter to the Commissioner of of Police and the Chief of Police for their study and recommendation.

ORAL COMMUNICATIONS

RECOMMENDING
CITY-OWNED PROP-
ERTY BE SOLD TO
PROVIDE MONEY
FOR WATER LINES

Mr. Dudley Hamilton addressed the City Council recommending that the property owned by the City on Cabrillo, be sold to provide money for the installation of water lines, and that the City Council take action to reduce brokers' commission from 15% to 5% on the sale of tax-sale lots.

LICENCES FOR
BUSSES

Mr. Hamilton inquired whether licenses are required for the operation of Greyhound and Santa Fe busses through the City.

COMMISSION ON
SALE OF TAX
LOTS

The City Attorney advised Mr. Hamilton that the reasoning of this, and previous Councils in setting the 15% commission, was to stimulate interest in the sale of tax-sale lots by the brokers, and further advised him that a broker is not entitled to a commission upon securing a buyer for tax-sale lots, as is customary, stating that the broker must submit a sealed bid to the City Council which is opened and read and held over until the next Council meeting at which time anyone may bid an additional 10%, which would cancel the bid of the broker.

DISPOSITION OF
CITY-OWNED PARK-
ING LOTS

Following considerable discussion on this matter, the Mayor advised Mr. Hamilton that the matter of disposing of the parking lots presently owned by the City would be taken up at a later date.

SMITH-RICE
ADDITIONAL
CHARGES FOR
OUTFALL SEWER
LINE

Mr. Kelley of Smith-Rice Derrick Barges, Inc. addressed the Council regarding the additional charge made by his Company for the installation of the Outfall Sewer Line. He advised the Council that the bill for the difuser had been approved by the City Engineer and Public Works' Superintendent; that the matter of the installing of 32 additional feet of pipe had not been authorized by any City official, but that upon examination of the section to which the new line was to be connected, a seriously corroded condition had been note, and that inasmuch as the pipe was leaking sewage, the Company had proceeded with the replacement of this section. Mr. Kelley further stated that he would "throw himself upon the mercy" of the Council with respect to payment of the additional 32 feet of installation.

PAYMENT OF
DIFUSER BILL
APPROVED

The City Attorney advised the Council that according to the terms of the contract executed by Smith-Rice Derrick Barges, Inc. and the City of San Clemente, the additional work was allowed at the same unit price as that of the bid, upon authorization of the City Engineer, and advised the Council that the extra charge for the difuser should be paid, but that payment for the additional 32 feet of pipe was a matter for Council determination as the City was not legally liable for the payment of this sum inasmuch as the work had not been authorized.

SMITH-RICE BILL
FOR DIFUSER
ORDERED PAID

IT WAS MOVED BY COUNCILMAN HEMPEL SECONDED BY COUNCILMAN BLAKELOCK that the City authorize payment of the bill submitted for the difuser, and suggested that the City withhold, until the next Council meeting, decision regarding payment of the additional 32 feet of pipe, at which time the Council could consider the claim, and also, personally inspect the piece of pipe which has been installed.

Upon roll call the following was the stated vote, to wit:

AYES: Councilmen - Read, Blakelock, Carrick, Fortune and Hempel
NOES: Councilmen - None
ABSENT: Councilmen - None

The motion was declared carried.

Mr. Kelley again addressed the Council and inquired if it would be in order to submit in writing, a proposal with respect to the extra charge made by his Company for the additional 32 feet of pipe. The Mayor informed Mr. Kelley that the matter would certainly be considered.

MR. BURNET
RECOMMENDS
OILING OF
ROADS

Mr. Burnett addressed the Council stating that twice in the last six years the City had placed oil on the road from La Cuesta Avenue to his home, and that on both occasions the job had been satisfactory. Mr. Burnett further stated that soil conditions made this type of repair feasible and recommended that the road be re-oiled. The Mayor stated that the City would investigate the request.

MR. BLACKMAN
RE: DRAINAGE
PROBLEM

Mr. Blackman addressed the Council requesting that the Superintendent of Public Works, Mr. Parker, make an inspection of the drainage problem near his house.

REPORTS OF SPECIAL COMMITTEES AND OFFICIALS

LIGHTING DIS-
TRICT COST

Report of the City Engineer, William A. Ayer, regarding cost of operating the San Clemente Lighting District for the year 1952-53, was read and ordered filed.

PAYMENT OF AD-
DITIONAL CHARGE
MADE BY NEIS-
WENDER ORDERED
PAID

Report of the Special Committee to investigate payment of additional charge made by the Neiswender-Holbert Company in the amount of \$44.89 recommending that the amount be paid, was read.

UPON MOTION OF COUNCILMAN BLAKELOCK, SECONDED BY COUNCILMAN HEMPEL, the bill was ordered paid.

On roll call the following was the stated vote, to wit:

- AYES: Councilmen - Read, Blakelock, Carrick, Fortune and Hempel.
- NOES: Councilmen - None
- ABSENT: Councilmen - None

The motion was declared carried.

REPORT BY MR.
REES ON INSPEC-
TION OF "FEED
BAG"

Report of Building Inspector, Harry P. Rees, was read, concerning inspection of the Feed Bag Cafe, and advising the Council that over a period of years, temporary storage sheds had been attached to the restaurant's main building; that they had been built without a building permit and without the knowledge of the Building Inspector; not in accordance with the provisions of the building code; that the additions were not structurally sound nor a sanitary place in which to store and prepare food; that the temporary electric wiring installed is in an unsafe condition; that a fire hazard exists from the accumulation of grease drawn to the roof by an exhaust fan, and recommending that the temporary sheds be removed.

The City Attorney recommended that the Council authorize the Building Inspector to serve a written notice on the owner of the Feed Bag Cafe, calling to his attention the above mentioned violations; demanding that the structures be dismantled and the matter remedied within the number of days the Council desires to fix; and notifying him that if the demand is not met, it will be necessary to file against him a criminal complaint on the violation of the Building Code of the City of San Clemente, and advising him that each day of violation is a separate offense.

IT WAS MOVED BY COUNCILMAN CARRICK that the owner of the Feed Bag Cafe be given 45 days in which to comply with the demands made by the Building Department, in accordance with the recommendations of the City Attorney.

Councilman Blakelock recommended that the time limit be reduced to 30 days. Councilman Carrick concurred and amended the motion to 30 days for completion of the demands.

FEED BAG CAFE -
Continued

IT WAS MOVED BY COUNCILMAN CARRICK, SECONDED BY COUNCILMAN BLAKELOCK that the Building Inspector be instructed personally to serve the owner of the Feed Bag Cafe with notice, in writing, calling his attention to the facts that he had erected the structures in question without a building permit, which is in violation of the City Ordinance; that the wiring of these structures is defective and that other irregularities in following the building code had been found to exist; and that unless these buildings are removed within 30 days of the date of the letter action would be taken to file a complaint against him charged with violation of the City Ordinance.

On roll call the following was the stated vote, to wit:

AYES: Councilmen - Read, Blakelock, Carrick, Fortune and Hempel
NOES: Councilmen - None
ABSENT: Councilmen - None

The motion was declared carried.

The City Attorney recommended having the City Clerk write a letter advising the owner of the Feed Bag Cafe that the Health Department has advised him (the City Clerk) that they have revoked their approval of the operation of the restaurant until certain conditions in violation of the Health Code had been corrected; that he is presently operating without a license; that he cannot renew his license without the approval of the Health Department; and that each day of operating without a license and without the approval of the Health Department is an offense under the City Ordinance.

IT WAS MOVED BY COUNCILMAN HEMPEL SECONDED BY COUNCILMAN BLAKELOCK that the City Clerk direct such a letter to the owner of the Feed Bag Cafe.

Upon roll call the following was the stated vote, to wit:

AYES: Councilmen - Read, Blakelock, Carrick, Fortune and Hempel
NOES: Councilmen - None
ABSENT: Councilmen - None

The motion was declared carried.

TONY ORTIZ -
TAX-SALE LOTS

Regarding balance due on Tax-Sale lot transaction between the City of San Clemente and Tony Ortiz, the City Clerk reported that Mr. Ortiz had not contacted the City regarding the termination of the time allowed him in which to pay the balance due.

The City Attorney recommended that a letter be written to Mr. Ortiz calling his attention to the fact that we had heard nothing from him, and that unless we hear from him within five days from the date of the letter, we shall consider he is abandoning the deal; that the transaction will be cancelled and that the deposit he has on file, retained by the City of San Clemente.

IT WAS MOVED BY COUNCILMAN BLAKELOCK SECONDED BY COUNCILMAN CARRICK AND UNANIMOUSLY CARRIED that the City Clerk be directed to write Mr. Ortiz a letter in conformity with the recommendations of the City Attorney.

DEADLINE FOR LIVING IN HOUSE TRAILERS

The City Clerk reported that pursuant to direction of the Council at the last meeting, he had had letters served on all persons presently occupying house trailers in the City, advising them of the deadline regarding occupancy of said trailers and the action the City would most likely take after the first of August.

P. BARNET CONTRACT FOR WATER LINES APPROVED

IT WAS MOVED BY COUNCILMAN BLAKELOCK SECONDED BY COUNCILMAN CARRICK that the action of the Mayor and City Clerk in executing the contract between the City of San Clemente and Pernel Barnett, for the installation of water lines, be ratified and approved.

On roll call the following was the stated vote, to wit:

- AYES: Councilmen - Read, Blakelock, Carrick, Fortune and Hempel
- NOES: Councilmen - None
- ABSENT: Councilmen - None

The motion was declared carried.

R. J. NOBLE CONTRACT ON RESURFACING OF STREETS ACCEPTED

IT WAS MOVED BY COUNCILMAN BLAKELOCK SECONDED BY COUNCILMAN HEMPEL that the contract, as drawn and presented by the City Attorney covering resurfacing of streets by the R. J. Noble Company, be accepted, and the Mayor and City Clerk authorized to sign same on behalf of the City of San Clemente.

On roll call the following was the stated vote, to wit:

- AYES: Councilmen - Read, Blakelock, Carrick, Fortune and Hempel
- NOES: Councilmen - None
- ABSENT: Councilmen - None

The motion was declared carried.

PAYING OF THE BILLS

IT WAS MOVED BY COUNCILMAN BLAKELOCK SECONDED BY COUNCILMAN FORTUNE that the audited bills as read, be paid and that the payroll period of July 1, 1952 through July 15, 1952 be ratified.

On roll call the following was the stated vote, to wit:

- AYES: Councilmen - Read, Blakelock, Carrick, Fortune and Hempel
- NOES: Councilmen - None
- ABSENT: Councilmen - None

The motion was declared carried.

Payroll July 1 through July 15, 1952 . . . \$ 8,057.38
 Total warrants paid to July 15, 1952 . . . 17,467.23

RESOLUTIONS

NO. 571 PROTECTION OF SIDEWALKS AND CURBS

Upon motion of Councilman Blakelock seconded by Councilman Fortune RESOLUTION NO. 571 BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA adopting regulations for the protection of sidewalks and curbs by owner-builders or general contractors, and providing for a form of agreement to be executed at the time of application for a building permit, was regularly introduced, passed and adopted by the following stated vote, to wit:

- AYES: Councilmen - Read, Blakelock, Carrick, Fortune and Hempel
- NOES: Councilmen - None
- ABSENT: Councilmen - None

RES. NO. 572 Upon motion of Councilman Blakelock seconded by
 IMPROVEMENT OF Councilman Fortune RESOLUTION NO. 572 BEING A RESOLUTION
 LIGHTING SYSTEM OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA
 providing for the improvement of the lighting system in San
 Clemente, was regularly introduced, passed and adopted by
 the following stated vote, to wit:

RESOLUTION
 NO. 573 - COM-
 MISSIONS RE
 SALE OF REAL
 ESTATE

AYES: Councilmen - Read, Blakelock, Fortune and Hempel
 NOES: Councilmen - None
 ABSENT: Councilmen - None.

Upon motion of Councilman Carrick seconded by Coun-
 cilman Blakelock RESOLUTION NO. 573 BEING A RESOLUTION OF THE
 CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA provid-
 ing for the payment of commission in connection with the sale
 of real estate, was regularly introduced, passed and adopted
 by the following stated vote, to wit:

AYES: Councilmen - Read, Blakelock, Carrick and Fortune
 NOES: Councilmen - None
 ABSENT: Councilmen - None
 DID NOT VOTE: Councilman - Hempel*

*Mr. Hempel stated that he did not object to the motion but
 felt that it would be unwise for him to vote on the issue.

ORDINANCES

ORDINANCE
 NO. 209 -
 GARBAGE

Upon motion of Councilman Carrick seconded by Council-
 man Blakelock ORDINANCE No. 209 BEING AN ORDINANCE OF THE CITY
 COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA amending Ordina-
 nance No. 58 of said City as amended by Ordinance No. 77 of
 said City regulating the keeping and disposal of garbage, was
 introduced and read by title only.

Upon roll call the following was the stated vote,
 to wit :

AYES: Councilmen - Read, Blakelock, Carrick, Fortune and
 Hempel
 NOES: Councilmen - None
 ABSENT: Councilmen - None.

REPORTS OF COUNCILMEN

INSTALLATION
 OF STEPS TO
 BEACH

Councilman Hempel read a progress report on the
 matter of installing steps from a point on Buena Vista Avenue
 to the beach, and stated that Mr. Taylor was in the process
 of obtaining written commitments from residents of the area
 to arrange for financial assistance in the construction of
 the project.

BIDS ON ABOVE

It was recommended that a report be obtained before
 a call for bids is made.

BRUSH-COATING
 AND TRIMMING
 OF COMMUNITY
 HOUSE .

Councilman Hempel reported that an estimate on brush-
 coating and trimming the Community Club House has been re-
 ceived, and recommended that a call for bids be prepared cov-
 ering this work. It was recommended and agreed, however,
 that a termite inspection be made prior to the start of any
 painting.

BIDS ON ABOVE

UPON MOTION OF COUNCILMAN HEMPEL SECONDED BY COUN-
 CILMAN BLAKELOCK the City Clerk was directed to prepare a not-
 ice calling for bids for painting the exterior of the Club House.

On roll call the following was the stated vote, to
 wit:

AYES: Councilmen - Read, Blakelock, Carrick, Fortune
 and Hempel
 NOES: Councilmen - None
 ABSENT: Councilmen - None

The motion was declared carried.

**NEW TRAFFIC LIGHTS WITH-
IN NEXT
60 DAYS**

Councilman Blakelock reported that he had been in conference with Mr. Van Stan of the State Highway Department, and was advised that the specifications covering installation of the new traffic signal were in Sacramento for State approval, and indicated that the traffic lights would be installed within the next 60 days.

**REQUEST TO
ADOPT MORE
DETAILED
SPECS. FOR
LAYING OUT
SUBDIVISIONS**

Councilman Blakelock recommended that the City adopt more detailed specifications for laying out subdivisions, and the type of works to be installed in sub-divisions before the plans are drawn by the sub-divider and submitted to the city council for approval; and recommended that the Planning Commission be directed to take such study under consideration and recommend to the Council general specifications as to what public works, such as storm drains, specifications for surfacing of streets, curbs, gutters, stubbing in of water, sewers, etc. are to be done by a sub-divider.

The City Attorney pointed out that present regulations permit the Council to require any improvements they desire, within reason, before accepting a map presented by a sub-divider.

Mr. Blakelock stated that in the sub-division recently completed, no provisions had been made to handle storm water, and as a result the City had suffered tremendous loss by damage to the streets.

**LETTER TO
PLANNING
COMM. RE
PREPARATION
OF SUB-DIV.
ORDINANCE**

UPON MOTION BY COUNCILMAN BLAKELOCK SECONDED BY COUNCILMAN HEMPEL and UNANIMOUSLY CARRIED, the City Clerk was directed to write a letter to the Planning Commission recommending that study be given to the preparation of a sub-division ordinance, setting minimum standards for the improvement on the sub-division with regard to utilities, streets and other matters.

**PRIORITIES
RE STREET
IMPROVEMENT
WORK**

Councilman Carrick requested the Street Commissioner Blakelock to make a report on priorities on street improvement work. Mr. Blakelock reported that such a priority list was in the process of formation and was not ready for presentation at this time.

**TRANSITE
PIPE**

Councilman Carrick reported that installation of the Transite pipe was proceeding according to schedule.

**FLOOD CON-
TROL AT
EL MOLENO**

Councilman Carrick reported that he had noted activity on the Flood Control project at El Moleno, and had learned that the County did not propose to raise the street elevation above its present level.

**AMENDMENT TO
NUISANCE ORD.
KEEPING ANI-
MALS AWAY
FROM RESTAU-
ANTS - #143**

Councilman Carrick reported that he had drawn specifications for a proposed amendment to City Ordinance #143 (nuisances) which would prohibit the keeping of all animals within 75 feet of a public eating establishment. The matter was referred to the City Attorney for preparation of the amendment to the City Ordinance.

**REPAIR OF
SIDEWALKS
ADDING COST
TO TAX BILLS**

Councilman Carrick reported that the matter of repairing sidewalks and adding the cost therefor to the tax bill of the property-owner, appeared to be a relatively simple matter and recommended that the City proceed with such a program. The City Attorney outlined the procedure for the assessment, and recommended that the first notice to the property-owner inviting voluntary participation in improving the sidewalks, be made as prescribed in the Street and Highway Code relating to this type of improvement, so that the first step would be completed, and for those property-owners who did not wish to participate in the voluntary plan, it would be possible to proceed under the assessment act.

LEAGUE OF
CITIES' MEET-
ING RE SUB-
DIVISION LAWS

Councilman Carrick reported that at the Executive Session of the League of Cities' meeting last Thursday, the matter of sub-divisions was discussed and a resolution adopted to appoint a Committee to conduct a study of the laws which are now in force, and also probably to develop new laws on sub-divisions. Mr. Carrick stated that the study by the League of Cities could affect the decision to be made by Mr. Ayer and himself in the matter of determining what charges should be made to a sub-divider connecting to City facilities.

COMMISSION TO
BE PAID TO
BROKERS FOR
SALE OF TAX-
SALE LOTS

Councilman Carrick recommended that the commission paid to real estate brokers for the sale of tax-sale lots be reduced from 15% to 5%. Councilman Hempel recommended that the fee schedule, as adopted by the San Clemente Board of Realtors, be adopted by the City, which provides for a 10% commission for unimproved properties and 5% commission for the sale of improved properties.

COUNCILMAN CARRICK MOVED that the commission paid to real estate brokers for the sale of City tax-sale lots be reduced from 15% to 5%. The motion died for lack of a second.

Mr. Dudley Hamilton addressed the Council recommending that the 5% commission be established.

Mr. Stephen Michalec addressed the Council recommending that the present 15% commission remain in force, citing instances where a broker, having obtained a buyer for a City tax lot, had lost the sale due to an increase in the bid.

Councilman Blakelock stated that he did not believe the City could expect real estate brokers to handle tax-sale lots at a lower fee than they receive for handling other property. He stated that he thought possibly 15% commission was high but could not personally see that dropping the commission below the 10% standard for the sale of other property, would facilitate the City in disposing of "dead ducks" which, Mr. Blakelock stated in most cases all tax-sale lots are, unless buyers are found.

Withdrawing his original motion IT WAS MOVED BY COUNCILMAN CARRICK SECONDED BY COUNCILMAN BLAKELOCK that the City adopt the following commission schedule, (See Resolution #573).

Sales of improved City-owned property - 5%

Sales of unimproved City-owned property - 10%

City to give consideration to recommended commission schedule of San Clemente Board of Realtors on any other type commissions.

The City Attorney pointed out that the fee schedule of 15% applied only to tax-sale lots and not to the sale of other City properties, and that the amount of commission paid, if any, was a matter for the Council to determine at the time property is offered for sale.

REPORT ON
WATER WELLS

Councilman Carrick gave a report on the average length of time the water wells were in operation during the month of June, and stated that the water levels were remaining constant.

COMMENDATION
RE WORK ON
WATER MAINS

Councilman Carrick highly commended the employees who were forced to work throughout the night in changing over the water mains and pumping station.

DISPOSITION OF
BEACH CLUB

Mayor Read reported that some response had been received from the various clubs regarding disposition of the Beach Club, and stated that he hoped to have sufficient information by the next meeting to determine whether the matter should be placed on the November ballot.

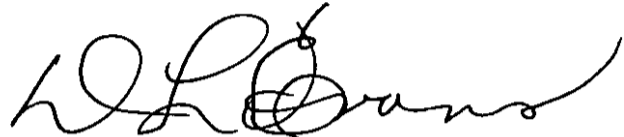
EASEMENTS IN
CONNECTION
WITH INSTALL-
ATION OF WATER
LINECOMMENDING
FIRE CHIEF

ADJOURNMENT

Mayor Read requested the City Attorney to look into the matter of obtaining easements across the rear of property adjacent to the Highway for the purpose of the installation of a water line.

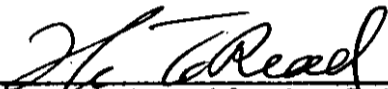
Mayor Read highly commended the Fire Chief for the manner in which the fire, caused by a collision of an oil truck and lamp standard, had been handled.

UPON MOTION OF COUNCILMAN CARRICK SECONDED BY COUNCILMAN BLAKELOCK AND UNANIMOUSLY CARRIED, the meeting was adjourned.



City Clerk and Ex-officio Clerk
of the City Council

APPROVED: August 6, 1952



Mayor and President of the
City Council

* * * * *

City Hall
San Clemente, California
August 6, 1952

The regular meeting of the City Council of the City of San Clemente was held in the Council Chambers, City Hall, 408 North El Camino Real, San Clemente, California on Wednesday, August 6, 1952, at 8:00 P.M., Mayor Henry T. Read in the Chair.

PRESENT: Councilmen - Read, Blakelock, Carrick, Fortune and Hempel.

ABSENT: Councilmen - None.

Minutes of the regular Council meeting held July 16, 1952 having previously been presented to the members of the Council were approved as presented and ON MOTION OF COUNCILMAN BLAKELOCK SECONDED BY COUNCILMAN FORTUNE AND UNANIMOUSLY CARRIED, the reading of these minutes was dispensed with.

On roll call the following was the stated vote, to wit:

AYES: Councilmen - Read, Blakelock, Carrick, Fortune and Hempel.

NOES: Councilmen - None.

ABSENT: Councilmen - None.

The motion was declared carried.